

MANDATE

E.D.N.Y.-Bklyn
92-cr-351
Weinstein, J.

E.D.N.Y.-Bklyn
97-cv-2079
Ross, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 9th day of November, two thousand eleven,

Present:

Roger J. Miner,
Rosemary S. Pooler,
Barrington D. Parker,
Circuit Judges.

United States of America,

Appellee,

v.

11-611-cr (L),
11-1136-pr (Con)

Victor Orena, AKA Little Vic, *et al.*,

Defendants,

v.

Michael Sessa,

Defendant-Appellant.

Appellant, through counsel, moves for a certificate of appealability and for permission to file his brief within 120 days of the Court's decision on this motion. Upon due consideration, it is ORDERED that the motion for a certificate of appealability is DENIED and the appeal from the denial of his 28 U.S.C. § 2255 motion is DISMISSED because the appellant has not made a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c). It is further ORDERED that, in the appeal from the denial of Appellant's motion filed pursuant to Federal

MLM

MANDATE ISSUED ON 01/25/2012

Rule of Criminal Procedure 33 docketed under 11-611-cr, Appellant's request for permission to file his brief within 120 days of the date of this order is GRANTED.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk




A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



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